

**REMARKS**

The Examiner has rejected claims 23 through 26, 33 through 37 and 44 under 35 U.S.C. §102(e) as allegedly being anticipated by Martin. The Examiner has rejected claims 1 through 4, 9 through 15, 20 through 22, 31, 32, 42 and 43 under 35 U.S.C. §103 as allegedly being obvious over Martin and Stevenson. Lastly, the Examiner has rejected claims 5 through 8, 16 through 19, 27 through 30 and 38 through 41 under 35 U.S.C. §103 as allegedly being obvious over Martin and Stevenson further in view of Lovy et al. In view of the above amendments and the following remarks, the Applicant respectfully requests the Examiner to reconsider the pending objections and rejections.

**The Section 102 Rejections**

The Examiner has rejected claims 23 through 26, 33 through 37 and 44 under 35 U.S.C. §102(e) as allegedly being anticipated by Martin. With respect to independent claims 23 and 34, the Examiner has alleged that the Martin et al. reference anticipates every aspect of the subject matter limitations. Although the Applicant does not necessarily agree with the Examiner's rejection basis, the Applicant respectfully requests the Examiner to reconsider the pending rejections in view of the amendments to the independent claims.

Newly amended independent claims 23 and 34 now each explicitly recite "an abnormal condition notifying unit connected to said abnormal condition removal determination unit for notifying a center operator of the detected abnormal condition when the corresponding abnormal condition removal information or the power activation report has not been received within a first predetermined amount of time t1 since the reception of the abnormal condition information at the management apparatus, said abnormal condition notifying unit for notifying the center operator of the detected abnormal condition if the corresponding abnormal condition removal information has not

been received from the originating managed apparatus within a second predetermined amount of time  $t_2$  since the reception of the power activation report at the management apparatus even if the power activation report has been received within a first predetermined amount of time  $t_1$  since the reception of the abnormal condition information at the management apparatus.”

Subject matter limitations of dependent claims 27 through 30 and 38 through 41 have been respectively incorporated into newly amended independent claims 23 and 34, and these dependent claims have been cancelled.

As explicitly recited in newly amended independent claims 23 and 34, the “abnormal condition notifying unit” notifies the operator only when certain conditions have met. The Examiner has allegedly pointed out that lines 58 through 67 in column 7 of the Martin et al. reference disclose the subject matter of dependent claims 25 and 36. However, this is no longer appropriate in view of the new amendments to independent claims 23 and 34 to include the subject matter limitations of dependent claims 27 through 31 and 38 through 42. The claims rejected under the section 102 exclude dependent claims 27 through 30 and 38 through 41. Thus, it is no longer proper to sustain the rejection of newly amended independent claims 23 and 34 since they are not anticipated by the Martin et al. reference.

Dependent claims 24 through 26, 31, 33, 35 through 37, 42 and 44 ultimately depend from newly amended independent claim 23 or 34 and incorporate the above discussed patentable feature of the current invention. Based upon the above reasons, the Applicant respectfully submits to the Examiner that the pending section 102 rejections should be withdrawn.

### **The Section 103 Rejections**

The Examiner has rejected claims 1 through 4, 9 through 15, 20 through 22, 31, 32, 42 and 43 under 35 U.S.C. §103 as allegedly being obvious over Martin and Stevenson. Lastly, the Examiner has rejected claims 5 through 8, 16 through 19, 27 through 30 and 38 through 41 under 35 U.S.C. §103 as allegedly being obvious over Martin and Stevenson further in view of Lovy et al. With respect to independent claims 1 and 12, the Examiner has alleged that the Martin et al. reference along with the Stevenson et al. reference make every aspect of the subject matter limitations obvious. Although the Applicant does not necessarily agree with the Examiner's rejection basis, the Applicant respectfully requests the Examiner to reconsider the pending rejections in view of the amendments to the independent claims.

Newly amended independent claims 1 and 12 each explicitly recite "notifying a center operator of the detected abnormal condition if the corresponding abnormal condition removal call or the power activation report has not been received within the first predetermined amount of time t1 since the reception of the abnormal condition information at the management device; [and] notifying a center operator of the detected abnormal condition if the corresponding abnormal condition removal call has not been received from the originating managed device within a second predetermined amount of time t2 since the reception of the power activation report at the management device even if the power activation report has been received within the first predetermined amount of time t1 since the reception of the abnormal condition information at the management device."

Subject matter limitation of dependent claims 5, 6, 16 and 17 have been respectively incorporated into newly amended independent claims 1 and 12, which now explicitly recite the two conditions under which the operator will be notified. The amendments have been supported by FIGURES 20 and 21 and the original disclosure on

pages 42 and 43 as well as 44 and 45 of the current application. Please note that FIGURE 21 has been corrected to reflect the original disclosure on page 45.

As already discussed above with respect to the rejection of independent claims 23 and 34, the newly amended independent claims also explicitly recite “an abnormal condition notifying unit connected to said abnormal condition removal determination unit for notifying a center operator of the detected abnormal condition when the corresponding abnormal condition removal information or the power activation report has not been received within a first predetermined amount of time  $t_1$  since the reception of the abnormal condition information at the management apparatus, said abnormal condition notifying unit for notifying the center operator of the detected abnormal condition if the corresponding abnormal condition removal information has not been received from the originating managed apparatus within a second predetermined amount of time  $t_2$  since the reception of the power activation report at the management apparatus even if the power activation report has been received within a first predetermined amount of time  $t_1$  since the reception of the abnormal condition information at the management apparatus.”

The Examiner has allegedly pointed out that lines 49 through 54 in column 26, lines 38 through 43 in column 5 and lines 55 through 67 in column 8 of the Lovy et al. reference discloses the subject matter of dependent claims 5, 6, 16 and 17. Although the Lovy et al. reference may disclose certain conditions, these conditions do not include the “first predetermined time amount of time  $t_1$ ” and the “second predetermined time amount of time  $t_2$ .” Furthermore, as explicitly recited in newly amended independent claims 1 and 12, these two “predetermined time amount of time” are used to in relation to the “power activation report” and or the “abnormal condition removal call” in order to determine the reporting conditions. Neither of the cited references teaches, discloses or suggests the concept of the two separate “predetermined time amount of time” in relation to a combination of the relevant events. Thus, it would not have been obvious to one of

ordinary skill in the art to provide the patentable features of newly amended independent claim 1 or 12 based upon the cited references alone or in combination.

These are the reasons why it is no longer proper to sustain the rejection of newly amended independent claims 1 and 12 since they are not obvious by the Martin et al. reference, the Stevenson et al. reference and the Lovy et al. reference alone or in combination.

By the same token, the rejections of dependent claims 5 through 8, 16 through 19, 27 through 30 and 38 through 41 also appear no longer proper. The Lovy et al. reference also fails to teach, disclose or suggest the concept of the two separate "predetermined amount of time." Let alone, the cited reference remotely suggests the use of the two separate "predetermined amount of time" in relation to a combination of the two different events. Thus, it would not have been obvious to one of ordinary skill in the art to provide the patentable features of newly amended independent claim 1 or 12 based upon this and other cited references alone or in combination.

Claims 5 through 8, 16 through 19, 27 through 30 and 38 through 41 have been cancelled. Additional claims have been amended to correct the dependency in view of the above cancelled claims.

Dependent claims 2 through 4, 9 through 11, 13 through 15, 20 through 22, 31, 32, 42 and 43 ultimately depend from newly amended independent claim 1, 12, 23 or 34 and incorporate the above discussed patentable features of the current invention. Based upon the above reasons, the Applicant respectfully submits to the Examiner that the pending section 103 rejections should be withdrawn.

**DOCKET NO.: RCOH-1068**

**PATENT**

**Application No.: 10/762,994**

**Response to Office Action of January 17, 2008**

**Amendment dated April 8, 2008**

**Page -20-**

**CONCLUSION**

In view of the above amendments and the foregoing remarks, Applicant respectfully submits that all of the pending claims are in condition for allowance and respectfully request a favorable Office Action so indicating.

Respectfully submitted,

**/KEN I. YOSHIDA/**

Date: April 8, 2008

Ken I. Yoshida, Esq.

Reg. No. 37,009

KNOBLE YOSHIDA & DUNLEAVY LLC  
Customer No. 21302  
Eight Penn Center, Suite 1350  
1628 John F. Kennedy Blvd.  
Philadelphia, PA 19103  
(215) 599-0600

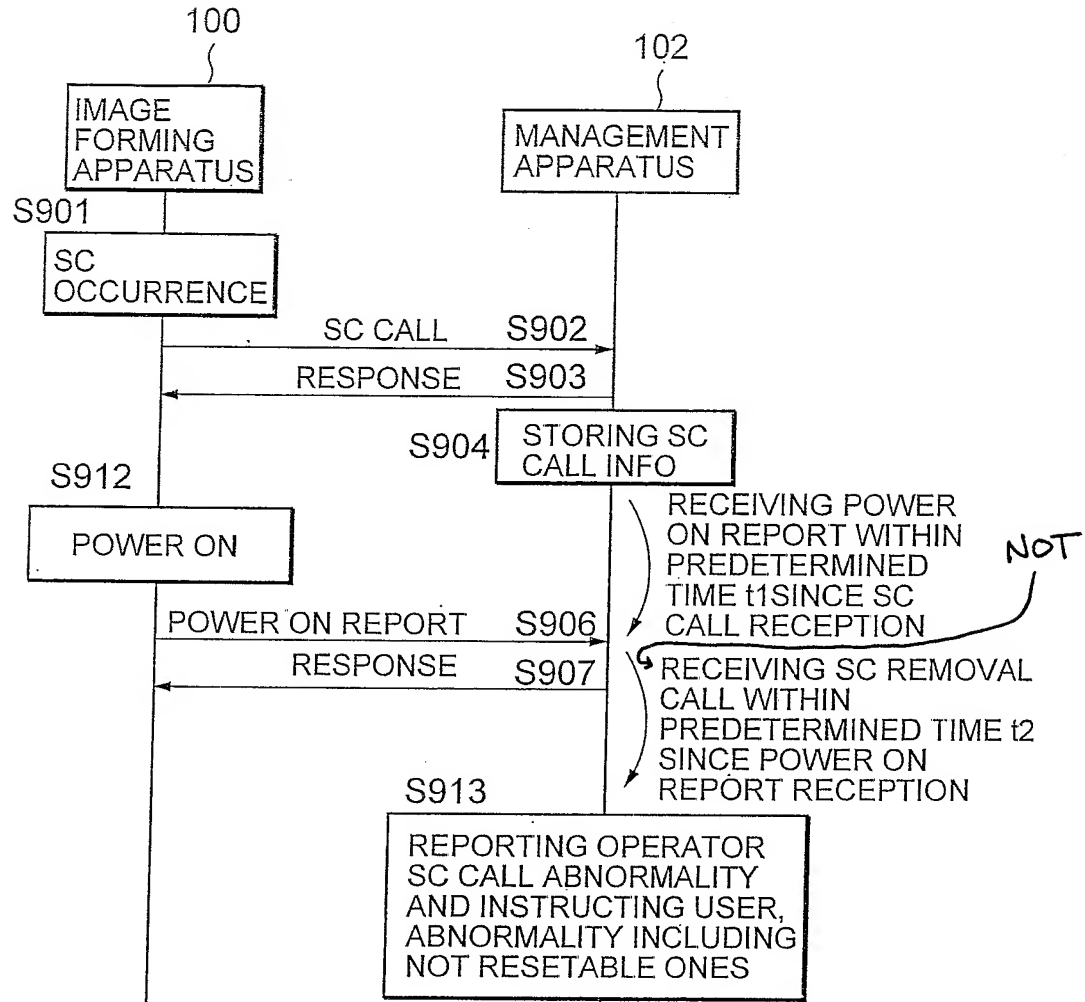


FIG.21

No.	DEVICE No	SC	TYPE	SC RECEPTION TIME AND DATE	POWER OFF/ON	REMARKS
1	3000-123456	SC101	D	2002/12/08 10:12	POWER ON	
2	3000-123456	SC102	D	2002/12/08 11:12		
3	3013-123456	SC302	D	2002/12/08 12:12		
4	3013-456852	SC541	A	2002/12/08 10:12		
5	3013-369852	SC420	D	2002/12/08 13:12		
6	3033-258963	SC105	D	2002/12/08 14:12		
7	3033-258741	SC543	A	2002/12/08 16:12		
8	3033-159951	SC305	D	2002/12/08 18:12		

FIG.22